

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

METROPOLITAN LIFE INSURANCE CO.

Plaintiff

vs.

CIVIL NO. 97-1577CCC

IRVIS V. VAZQUEZ, HAYDEE TORRES  
DE FRANCO, MARTA DE FRANCO  
GOODNER, CELINE FRANCO, JOSE M.  
FRANCO TORRES

Defendants

ORDER

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U.S. DISTRICT COURT  
SAN JUAN PR

Having considered the Motion in Limine filed by claimant Haydeé Torres de Franco on July 11, 2000 (**docket entry 58**), the Opposition to Motion in Limine filed by cross-claimant Irvis Vázquez on July 19, 2000 (**docket entry 60**), and claimant's tendered reply (**docket entry 63**), which is ORDERED FILED, the same is DENIED. This in limine request is in the nature of a summary judgment motion. The central issue in this case requires a determination of Ms. Torres de Franco's claim that the card containing a change of beneficiary is a false document. The testimonial evidence in support of this, including the expert's opinion, must be presented at trial and subjected to the scrutiny of cross-examination. This cannot be disposed in summary fashion without incurring in speculation and conclusory statements.

Since plaintiff Metropolitan Life Insurance Company is no longer a party in this interpleader action, the remaining parties are the cross-claimants. Given the nature of the controversy, i.e. the alleged fabrication of the change of beneficiary designation, claimant

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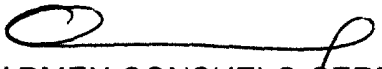
**Civil No.** 97-1577CCC

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Torres de Franco shall be the first to present her evidence. Cross-claimant Vázquez shall then present proof to refute Torres de Franco's evidence and in support of her own allegations.

SO ORDERED.

At San Juan, Puerto Rico, on August 4<sup>th</sup>, 2000.

  
CARMEN CONSUELO CEREZO  
United States District Judge